

United States District Court

DISTRICT OF DELAWARE

BIOVAIL LABORATORIES INTERNATIONAL SRL

SUMMONS IN A CIVIL ACTION

Plaintiff,

v.

ANDRX PHARMACEUTICALS, LLC. and
ANDRX CORPORATION,

CASE NUMBER: 05 - 586

Defendants.

TO: Andrx Corporation
c/o Corporation Service Company
2711 Centerville Road
Suite 400
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY:

Jack B. Blumenfeld, Esquire
Morris, Nichols, Arsht & Tunnell
1201 N. Market Street, P.O. Box 1347
Wilmington, DE 19899-1347

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

DATE

8/10/05



BY DEPUTY CLERK

AO 440 (REV. 10/93) Summons In a Civil Action

RETURN OF SERVICE

Service of the Summons and amended complaint was made by me¹

DATE

September 7, 2005

NAME OF SERVER (PRINT)

Shawn Boyles

TITLE

Courier

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: _____☐ Left copies thereof at the defendant's dwelling house or usual place of abode with person of suitable age and direction then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____☒ Other (specify): Service of the Summons and Complaint was made upon defendant Andrx Corporation by delivering copies thereof to defendant's registered agent, Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

9/7/05

Signature of Server

Blue Marble Logistics

800 King Street, Wilmington, DE 19801

Address of Server

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure